

Amendments to the Drawings:

The attached replacement drawing sheet makes changes to Fig. 14 and replaces the original sheet with Fig. 14.

Attachment: Replacement Sheet

REMARKS

Claims 1-9, 11-16, 23, 25 and 26 are pending in this application. By this Amendment, claims 1, 15 and 23 are amended and claims 10, 17-22, 24 and 27 are canceled. Support for the amendments can be found, for example, in previous claims 10 and 23. No new matter is added. Applicant respectfully requests reconsideration and prompt allowance for at least the following remarks.

Applicant appreciates the courtesies shown to Applicant's representatives by Examiner Popovici during the June 17 telephone interview. Applicant's separate record of the substance of the interview is incorporated into the following remarks.

The Office Action objects to Figure 14 under MPEP §608.02(g), alleging only that which is old is illustrated. Applicant amends Figure 14 as illustrated above by adding the legend "Related Art," consistent with the section of the specification in which Figure 14 is discussed. Applicant respectfully requests withdrawal of the objection.

The Office Action rejects claim 23 under 35 U.S.C. §101 as directed to non-statutory subject matter. Applicant amends claim 23 to properly claim statutory subject matter, as recited above, and respectfully requests withdrawal of the rejection.

The Office Action rejects claim 1 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,228,118 (Sasaki), or, in the alternative, under 35 U.S.C. §103(a) as unpatentable over Sasaki in view of U.S. Patent No. 6,611,350 (Watanabe), and rejects claims 2-10, 15-24, 26 and 27 under 35 U.S.C. §103(a) as obvious over Sasaki in view of Watanabe. Applicant respectfully traverses the rejections.

Claim 1 recites, "the receiving step is repeated until the printing protocol contained in the received information coincides with one of the printing protocols which the terminal device supports." Applicant asserts this is not disclosed in the applied references. Figure 6 of Sasaki illustrates a printer driver selection routine. The control device of a personal computer

receives a reply from a printer at S13 upon the printer sending a response to receiving an inquiry at S11. The control device searches for the compatible drivers at S16 based on the information received in the response. However, if no compatible drivers are found, an alarm message is displayed at S18 and the routine ends. This does not disclose "the receiving step is repeated until the printing protocol contained in the received information coincides with one of the printing protocols which the terminal device supports." Upon receiving the response to the first request at S13, the device in Sasaki searches for a compatible driver and if one is not found, the device does not continue to receive but rather ends. Thus, Sasaki fails to disclose "the receiving step is repeated until the printing protocol contained in the received information coincides with one of the printing protocols which the terminal device supports" because in each case the method ends and is not repeated.

Nor does Watanabe disclose "the receiving step is repeated until the printing protocol contained in the received information coincides with one of the printing protocols which the terminal device supports." As illustrated in Figure 3 of Watanabe, if communication protocol information does not exist in the printer information table, at step S3, the printer control system proceeds to step S4 where it retrieves the printer protocol. However, if the printer protocol information received at step S4 is not consistent with one of the printer protocols which the terminal device supports, Figure 3 does not illustrate nor does Watanabe disclose repeating the receiving step "until the printing protocol contained in the received information coincides with one of the printing protocols which the terminal device supports."

Importantly, Figure 3 does not account for the possibility where the printer protocol and the protocol that the terminal device supports are inconsistent. As disclosed in column 4, lines 49-53, "the protocol processing section 15 accesses the printer, which has the proper, operable protocol, to retrieve the protocol." This disclosure assumes that the printer and the terminal device share the proper protocol, which may not be the case. Because Watanabe

assumes the protocol processing section has the proper protocol, it does not disclose a method for determining the proper protocol that includes repeating the receiving step "until the printing protocol contained in the received information coincides with one of the printing protocols which the terminal device supports."

Additionally, the obviousness rejection of claim 10 is not supported with a clear and explicit articulation of the reason(s) why the claimed invention allegedly would have been obvious (including a reasonable rationale as to why the references would have been modified) as required in the MPEP §§2141(III) and 2142. "[R]ejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." KSR International Co. v. Teleflex, Inc., 550 U.S. ___, 82 USPQ2d 1985, 1306 (2007). Instead of providing an articulated reasoning with some rational underpinning to support the legal conclusion of obviousness, the Office Action simply recites the language of claim 10 and concludes that Sasaki in view of Watanabe discloses claim 10. Based on this alone, the rejection of claim 10 is improper, and as claim 10 is incorporated in claim 1, the rejection of claim 1 is improper. In view of the foregoing, claim 1 is patentable over Sasaki and Sasaki in view of Watanabe. Therefore, Applicant respectfully requests withdrawal of the rejection.

Regarding claims 4, 7 and 8, Applicant respectfully challenges the Official Notice taken by the Office Action. As outlined in M.P.E.P. § 2144.03(B), general conclusions concerning what is "basic knowledge" or "common sense" to one of ordinary skill in the art without specific factual findings and some concrete evidence in the record to support these findings cannot support an obviousness rejection. Thus, Applicant respectfully traverses and requests documentation to support the Official Notice taken in the Office Action.

Based on the foregoing, Applicant asserts that claims 2-9, 15 and 16 are patentable, at least in view of the patentability of claim 1, from which they variously depend, as well as for

the additional features they recite. Therefore, Applicant respectfully requests withdrawal of the rejection.

Based on the foregoing discussion, the applied references also do not disclose or suggest "wherein said connection control system repeats said receiving and said comparing until the printing protocol contained in received information coincides with one of the printing protocols which said terminal device supports," as recited in claim 26. Because the applied references do not disclose the process of "the receiving step is repeated until the printing protocol contained in the received information coincides with one of the printing protocols which the terminal device supports," they cannot disclose a structure that performs that step. As the connection control system recited in claim 26 performs the patentable step recited in claim 1, the applied references do not disclose a "connection control system." Therefore, Applicant respectfully requests withdrawal of the rejection.

Regarding claim 23, claim 23 is amended to recite "a computer program stored on a computer-readable medium programmed to achieve a method of connecting a terminal device to a target printer to be used on a network." Importantly, the computer program includes instructions similar to the foregoing steps of claim 1 that require "the receiving step is repeated until the printing protocol contained in the received information coincides with one of the printing protocols which the terminal device supports." Because none of the applied references disclose this step, the applied references also do not disclose a computer program with instructions that achieve the step. Therefore, the Sasaki in view of Watanabe does not disclose or suggest a computer program with instructions that can achieve the above step. S such, Applicant requests withdrawal of the rejection.

The Office Action rejects claims 11-13 and 25 under 35 U.S.C. §103(a) as unpatentable over Sasaki and Watanabe in further view of U.S. Patent No. 5,636,333 (Davidson). Applicant respectfully traverses the rejection.

The rejection of claims 11-13 is premised upon the presumption that Sasaki and Watanabe disclose all of the features of claim 1. Because, as discussed above, Sasaki and Watanabe do not disclose all of the features of claim 1, the rejection is improper. Therefore, Applicants respectfully request withdrawal of the rejection.

Regarding claim 25, Applicant asserts the applied references do not disclose a printer that includes "an information output system that outputs printing protocols which said printer supports through said interface according to predetermined priority levels concerning the printing protocols." Rather, the priority disclosed in Davidson concerns the priority between printer status information and the priority disclosed in Sasaki concerns the priority of printer protocols as stored in the terminal device, neither of which disclose that the printer outputs priority levels as part of the information sent to the terminal device.

Davidson discloses that a network adapter may receive data from several different protocols simultaneously but that only one of the protocols may have access to the printer at any one time (Davidson at col. 1, lines 39-43). However, allowing one protocol to "capture the printer" causes a problem for timely processing priority information such as exchanges of printer status information. The object of Davidson is to create an alternate channel of communication through each protocol so that priority information can bypass print data from its own and other Protocols and be processed immediately (Davidson at col. 2, lines 56-59). Thus, the priority disclosed in Davidson concerns priority information and not the priority between printing protocols. Further, the object of the invention in Davidson is to create alternate channels for the communication of the priority information, rather than ranking the priority information in terms of its priority. As such, the combination of the applied references do not disclose or suggest "an information output system that outputs printing protocols which said printer supports through said interface according to predetermined

priority levels concerning the printing protocols." Therefore, Applicant requests withdrawal of the rejection.

The Office Action rejects claim 14 under 35 U.S.C. §103(a) as unpatentable over Sasaki and Watanabe in further view of the Specification, paragraphs [0006]-[0007].

Applicant respectfully traverses the rejection.

The rejection of claim 14 is premised upon the presumption that Sasaki and Watanabe disclose all of the features of claims 1 and 2. Because, as discussed above, Sasaki and Watanabe do not disclose all of the features of claim 1, the rejection is improper. Therefore, Applicant respectfully requests withdrawal of the rejection.

In view of the foregoing and the cancellation of claims 10, 17-22, 24 and 27, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-9, 11-16, 23, 25 and 26 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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JAO:KRG/jnm

Attachment:

Replacement Sheet (Fig. 14)
Petition for Extension of Time

Date: June 20, 2008

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